

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

TRACEY E. BURDINE

PLAINTIFF

v.

Civil No. 06-1018

LINDA S. McMAHON, Commissioner
Social Security Administration

DEFENDANT

J U D G M E N T

For reasons stated in a memorandum opinion of this date, the Court hereby reverses the decision of the Commissioner and remands this case for further consideration pursuant to sentence four of 42 U.S.C. § 405(g). Given that plaintiff's benefit applications have been pending for over four years and that the case was previously remanded by the Appeals Council, the Commissioner is directed to expedite the proceedings on remand.

The parties have sixty days from entry of the judgment on the docket in which to appeal.

If plaintiff wishes to request an award of attorney's fees and costs under the Equal Access to Justice Act (EAJA) 28 U.S.C. § 2412, an application may be filed up until 30 days after the judgment becomes "not appealable" i.e., 30 days after the 60-day time for appeal has ended. See *Shalala v. Schaefer*, 509 U.S. 292, 296, 113 S.Ct. 2625 (1993); 28 U.S.C. §§ 2412(d)(1)(B), (d)(2)(G).

IT IS SO ORDERED this 28th day of February 2007.

/S/JIMM LARRY HENDREN
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE

